

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRYAN CARY,

Case No. 17-12862

Plaintiff,

SENIOR U.S. DISTRICT JUDGE
ARTHUR J. TARNOW

v.

TIMOTHY MOX, ET AL.,

U.S. MAGISTRATE JUDGE
MONA K. MAJZOUB

Defendants.

/

ORDER ADOPTING REPORT AND RECOMMENDATION [65]; DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [50]; GRANTING DEFENDANT'S MOTION TO DISMISS [52]

On August 22, 2017, Plaintiff Bryan Cary filed this prisoner civil rights action pursuant to 42 U.S.C. § 1983 against Defendants Corrections Officer Timothy Mox, Special Activities Coordinator David Leach, Director of the Michigan Department of Corrections (“MDOC”) Heidi Washington, and the Deputy Director of MDOC.¹

Plaintiff filed a Motion for Summary Judgment [50] on May 25, 2018. Defendant Mox filed a Motion to Dismiss [52] on June 6, 2018.

On January 22, 2019, the Magistrate Judge issued a Report and Recommendation (“R&R”) [65] recommending that the Court deny Plaintiff's

¹ The Court dismissed Defendants Leach, Washington, and Deputy Director on September 14, 2018. [Dkt. #61].

Motion for Summary Judgment [50] and grant Defendant's Motion to Dismiss [52].

Neither party has filed an objection to the R&R.

The Court having reviewed the record, the R&R [65] is hereby **ADOPTED** and entered as the findings and conclusions of the Court.

Accordingly,

IT IS ORDERED that Plaintiff's Motion for Summary Judgment [50] is **DENIED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss [52] is **GRANTED**.

SO ORDERED.

Dated: February 20, 2019

s/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge